

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

CARLSBAD UNIFIED SCHOOL  
DISTRICT and NORTH COASTAL  
CONSORTIUM FOR SPECIAL  
EDUCATION.

OAH CASE NO. 2014031046

ORDER FOLLOWING PRE-HEARING  
CONFERENCE OF MAY 23, 2014;  
ORDER CONTINUING PREHEARING  
CONFERENCE AND DUE PROCESS  
HEARING

On May 23, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge Darrell Lepkowsky, Office of Administrative Hearings. Student's mother appeared on behalf of Student. Joanne Caudill, Special Education Director, appeared on behalf of the Carlsbad Unified School District. Bruce Kramer, Director, appeared on behalf of the North Coastal Consortium for Special Education. The PHC was recorded.

Based on discussion of the parties, the ALJ issues the following order:

1. Hearing Dates, Times, and Location. The hearing is continued on Student's unopposed motion. The telephonic prehearing conference shall now take place on **August 4, 2014, at 10:00 a.m.** The due process hearing shall now take place on **August 12-14, 2014**, and continuing day to day, Monday through Thursday, as needed at the discretion of the ALJ. The hearing shall begin at 9:30 a.m. on August 12, 2014, and at 9:00 a.m. each other day, unless otherwise ordered.

2. The parties are reminded that prehearing conference statements must be filed and served no later than three business days prior to the date scheduled for the prehearing conference. The parties are also reminded that their exhibit binders and list of witnesses must be served on the other parties no later than five business days prior to the first day of hearing, pursuant to Education Code section 56505, subdivision (e)(7).

3. Settlement. The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately should they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

IF A FULL AND FINAL WRITTEN SETTLEMENT AGREEMENT IS REACHED AFTER 5:00 P.M. THE DAY PRIOR TO HEARING, THE PARTIES SHALL LEAVE A VOICEMAIL MESSAGE REGARDING THE SETTLEMENT AT (916) 274-6035. THE PARTIES SHOULD ALSO LEAVE CONTACT INFORMATION SUCH AS CELLULAR PHONE NUMBERS OF EACH PARTY OR COUNSEL FOR EACH PARTY. THE PARTIES SHOULD SIMULTANEOUSLY FAX THE SIGNATURE PAGE OF THE SIGNED AGREEMENT OR A LETTER WITHDRAWING THE CASE TO THE OAH AT THE FAXINATION LINE at 916-376-6319.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages the evening prior to the hearing or the morning of the hearing.

IT IS SO ORDERED.

DATE: May 23, 2014

/s/  
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DARRELL LEPKOWSKY  
Administrative Law Judge  
Office of Administrative Hearings